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DISCONNECTED ACCOUNTABILITIES: INSTITUTIONALIZING ISLAMIC GIVING IN NABLUS (PALESTINE)

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Zakat, the obligation to look after people in need by giving them a share of the wealth flowing through society, is recognized in the Islamic tradition as both a personal pious action and an institutional practice formalized by legal regimes. This dual character provides zakat with considerable malleability. Focusing on the trajectory of the "zakat committee" of Nablus since the 1970s, this article analyzes the different social and legal mechanisms that hold zakat committees in Palestine accountable. First, zakat committee members are under the constant observation of the local community and exposed to their ethical judgement. The local reputation of the zakat committee in Nablus depends on their integrity in running the committee and on their display of Muslim virtues in social interactions with others. Secondly, regional governments oversee zakat committees and hold them accountable. Finally, committee members have come under the increasing scrutiny of security surveillance and global policies of "combatting the financing of terrorism," leading to forced closures in 2007. Due to the contested nature of political power in Nablus (the city has been under military occupation since 1967), these different mechanisms of accountability are sometimes remarkably disconnected. Notwithstanding, the malleability of zakat as a

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Ahmed Sharaf's phone was ringing constantly. A few months ago, Sharaf had become the leading religious scholar (*'ālim*, also referred to as sheikh) on the Nablus zakat committee. He sat down to have a conversation with me, an academic from Europe interested in how institutionalized zakat in the Palestinian territories was evolving. Having just arrived to his office, Sharaf had not taken off his winter coat. He excused himself and picked up the phone. The man on the other line wanted to know the sheikh's opinion regarding a conflict over money. The sheikh listened patiently and promised to sit down with the man and the other party of the conflict on Friday to settle the matter. Sharaf tried to calm the man down and said that, based on what he had heard so far, the man seemed to be in the right from a "sharia point of view." He reiterated, however, that he would need to speak to the other side of the conflict as well in order to arrive at a final opinion. The man on the other line would not stop talking and continued to explain all the things that happened. Every now and then, the sheikh gave me an apologetic look. On the phone, he remained nice and understanding. When the man finally hung up, Sharaf sighed and said:

> *This work [as a popular and trusted sheikh] can be very tiresome. People are calling me all the time and they want immediate responses. They are simple, here. You cannot tell them to wait and explain to them that you are busy now. […] Sometimes, all this gets too much though. The other day a man told me on the phone that I am not serving him, but that he is serving me. At this point, I hung up.*

Zakat committees in the West Bank and the Gaza Strip, the Palestinian territories occupied by Israel in 1967, usually include small- and medium-sized entrepreneurs, personalities known for their Islamic literacy and local politicians. They collect zakat—the share of wealth that the Quran prescribes to give away to support people in need—and organize its distribution. Moreover, they use local and international donations of sadaqa (supererogatory gifts by the faithful) to run small medical clinics, schools, or soup kitchens.

The Palestinian Authority governing the West Bank under the tutelage of Israeli occupation forced dozens of zakat committees to close in 2007 and 2008, accusing them of supporting the Islamic Resistance Movement, Hamas. The United States and the European Union considered Hamas to be a "terrorist organization" and refused to recognize the movement's victory in Palestinian parliamentary elections in 2006. In 2007, Hamas achieved control over the Gaza Strip by force, while the Palestinian Liberation Movement, Fatah, continued to rule the West Bank with US and EU backing.

After the forced closures, new centralized committees were composed of people loyal to the Fatah government, replacing a locally rooted system of more than ninety committees. The centralized committees struggled to operate. Lacking the trust of the local community, they soon had to give up. Instead of giving the money to the committee, people were paying zakat and sadaqa directly to needy families in their proximity (Schaeublin, 2019). In 2013, a new zakat committee was composed in Nablus with people known for their piety, integrity, and independence from the petty politics of different Palestinian parties. The aim was to regain local confidence, which had been lost after the top-down interventions in the zakat sector. Ahmed Sharaf, a popular and trusted personality in Nablus, joined the committee at this moment. Before that, he had been imam in the Great Mosque in Nablus. In their attempt to regain popular trust, zakat committee members needed to cultivate a good reputation and be responsive to people's demands. As mentioned above, this was no easy task.

In a context such as the Palestinian territories, zakat institutions are held accountable in several ways: first, zakat committees are under the scrutiny of local communities, who observe committee members and hold them accountable by constantly evaluating whether they remain worthy of a good reputation. Second, they report to historically changing government apparatuses including the Palestinian Authority, the Israeli government, and the state of Jordan. Finally, their work has evolved under the Israeli occupying power and global policies of "combating the financing of terrorism" (Biersteker & Eckert, 2008; de Goede, 2012). Data collected through security surveillance sustains international court cases against donors to zakat committees and banks that have carried out transfers of funds.

Muslim piety plays a key role for committee members maintaining a good reputation. Piety, in this context, depends on people's ability to embody (Mahmood, 2005) and display (Schaeublin, 2019) Islamic virtues. A woman told me that she had observed Sharaf when he used to go to a library in order to study for a degree from the Sharia Faculty of the University of Nablus:

> *He was very conscientious and meticulous in his way of studying. In my eyes, he has the qualities (ṣifāt) of the Prophet, such as truthfulness (ṣidq), trust-worthiness (amāna), and fairness (nazāha). This is not self-evident for people working in mosques as employees of the Palestinian Authority's Ministry of Awqaf where not everybody has good ethical conduct (akhlāq). His conduct, however, is exceptional.*

In the Palestinian case, the different forms of accountability outlined above are disconnected from one another. Local perspectives, for instance, have very little weight in court cases abroad against donors to zakat institutions. During the forced closures, many people saw governmental control of the committees as partly detrimental to local structures of self-help. Recent developments, however, illustrate that a basic compromise between local communities in the West Bank and the Palestinian Authority in Ramallah has been reestablished.

In spite of political turmoil, zakat giving never ceases. Its quality as both a personal virtue (a pious act of giving) and an obligation legally formalized in changing historical contexts endows it with a considerable malleability (on the "plasticity" of the Islamic tradition in changing circumstances, see Clarke, 2018). When the intermediary institutions coordinating its collection and distribution crumble, Muslims can give their zakat directly to people in need and later return to giving it to an institution they trust.

In what follows, I will first discuss zakat's dual character as a virtue and as an institutional practice. Then, I will discuss the historical trajectory of institutionalized zakat in Nablus. In a next step, I will discuss how the local community is holding zakat committee members accountable by observing and morally evaluating their actions. I shall then contrast this material with the mechanisms employed by government apparatuses and intelligence services for the purpose of holding zakat committees legally accountable for their actions. The conclusion reflects on the implications of the disconnection between these different mechanisms of accountability.

The fieldwork for this article took place from 2013 to 2014 in the central areas of the Palestinian city of Nablus (Figure 1), thirty miles north of Jerusalem, whose roughly 120,000 inhabitants are surrounded by Israeli military bases and settlements. Nablus has a reputation as a conservative Muslim city (Doumani, 1995) with minorities of Christians and Samaritans. The city lies in the West Bank. Since 1994, the administrative body of the Palestinian Authority has been governing its civil affairs under the tutelage of the Israeli army. An Israeli military

siege imposed during the Second Palestinian Intifada (2000 to 2006) crushed the city's industry and left hundreds of households dependent on financial support from relatives, neighbors, or different international providers of aid.

Figure 1: Entry gate to the Great Mosque in the old city of Nablus. © Jonas Opperskalski, 2014.

The focus of my fieldwork was on face-to-face interactions between givers and receivers of zakat and the presence of Islamic discourse in practices of exchange more generally. In parallel, I participated in the different activities of the Nablus zakat committee, including the distribution of food from the soup kitchen, the moving of office material to a new building, and the collection of zakat from local shops during Ramadan. My previous publications on Palestinian zakat institutions available in Arabic opened many doors, as it gave my interlocutors an insight into my way of thinking about the issue. I regularly spent time with different board members of the committee and accompanied some of them on visits to poor households.

Zakat between Virtue and Institutional Practice

In the Islamic tradition (Asad, 1986), giving zakat is a condition for living a good Muslim life. Islamic scholars interpreting the Islamic texts have come to define zakat as one of the five pillars of Islamic worship.

The Quran mentions zakat on 32 occasions, often closely connecting it to prayer with connotations of growth and purity. As ritual washing cleanses the body to prepare it for praying, giving away a share of one's wealth as zakat purifies a person's possessions (Hallaq, 2009, p. 231). Payment is due on assets held for the period of one Islamic calendar year. Muslims are obliged to annually pay 2.5% of their financial wealth beyond the threshold set at the value equivalent to 85 grams of gold (Singer, 2008, pp. 40–41). Supererogatory gifts, beyond what one owes as zakat, are classified as sadaqa for moveable property or as waqf for unmovable property, such as real estate. Sadaqa has connotations of justice (on the implications of this, see Mittermaier, 2014).

A key passage (Quran 9, 60; transl. Asad, 1980) that continues to be invoked by people practicing zakat lists eight categories of eligible beneficiaries:

> *the poor and the needy [or helpless], and those who are in charge thereof [the people entrusted with the collection and distribution of such funds], and those whose hearts are to be won over, and for the freeing of human beings from bondage, and [for] those who are overburdened with debts, and [for every struggle] in God's cause [literally: in the way of God], and [for] the wayfarer: [this is] an ordinance from God.*[1]

In addition to this, the Quran (76, 8) mentions giving to orphans—i.e., to children who have lost their father, rendering their attachment to a group of agnatic kin potentially fragile—as a sign of the virtuous among Muslims.

Zakat can give rise to simple acts of giving in face-to-face encounters or it can be channeled through distributing intermediary committees as stipulated by the category of "those who are in charge" of zakat in the passage above. The idea of creating committees that pool zakat and arrange for its distribution has been retained in the tradition (on which, see, e.g., the work of Ghazali, 1966, pp. 23–25, who lived in the 11th century).

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[1] While listing the legitimate recipients of sadaqa, this verse is commonly invoked in the Islamic tradition to refer to the people one should give one's zakat to (on which, see, e.g., Bashear, 1993). The listed categories are the subject of discussions among Muslim scholars (see, e.g., Benthall & Bellion-Jourdan, 2009, p. 10). Controversial issues of interpretation are, for instance, whether zakat can be given to non-Muslims, given the category of "the wayfarer," and whether zakat can be used for military projects, given the category "in the way of God."

Interpreters of the historical role of zakat (Hurgronje, 1957; Hallaq, 2009, p. 231; Fauzia, 2013, p. 47) point to its dual character. On the one hand, zakat is defined as a virtue and key element in the worship of God. On the other hand, zakat can become an integrated part of the taxation systems of centralized political bodies run by Sunni Muslims in different geographic and historical contexts (Bashear, 1993, pp. 99–108; Scott, 1987; Sijpesteijn, 2013, pp. 178–198; Singer, 2008, pp. 47–48).[2] Arguably, the direct and informal character of zakat giving has historically been more important (Falcioni, 2012, p. 461).

In the 20th century, zakat sometimes became part of the tax system of modern states. This is the case, for instance, in Saudi Arabia (Derbal, unpublished manuscript), Sudan, Pakistan, or, since 2011, in the Gaza Strip under the rule of the Islamic movement Hamas (Schaeublin, 2014, pp. 25). In Iran after the Shi'i Islamic revolution in 1979, however, neither zakat nor the Shi'i concept of Islamic giving (*khums*) were included in the tax system.[3] In other countries, Islamic opposition movements built nongovernmental institutional structures for collecting and distributing zakat. With the retreat of states from welfare provisions since the 1970s, such nongovernmental zakat institutions flourished, as they were able to fill the void left behind (Atia, 2013; Tugal, 2013). In the course of the war in contemporary Yemen, Houthi militants started to impose obligatory *khums* to extract taxes from territories under their control (Sana'a Center for Strategic Studies, 2020).

Since the 1970s, zakat institutions in many places have evolved in a climate of political repression. The legal frameworks and policies advanced by different governments in states where people practice zakat were marked by a certain suspicion toward Islamic institutions (Pierret & Selvik, 2009; De Cordier, 2010; Lacey & Benthall, 2014; Erie, 2016). This is less the case in Jordan. Here, the Muslim Brotherhood constitutes a kind of loyal opposition to the monarchy and zakat institutions have become an integrated part of the state's welfare system (Clark, 2004). In places where state structures remain weak, outsiders tend to perceive zakat institutions as possibly subversive social wings of Islamic political movements such as Hizbullah in Lebanon (Deeb, 2006; Cammett, 2014).

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[2] See also Calder (2006/1981, p. 223). Kuran (2003) and Wolf (1951) provide somewhat cynical readings of this duality, arguing that the nascent Islamic state used zakat as an ideological justification to extract funds from its subjects. On the whole, such readings of the distant past remain speculative. Bashear (1993, p. 86) observed that the question on the origins and the development of zakat in early Islam has not been satisfactorily answered. This is, I think, still the case.

[3] Personal communication with anthropologist Shirin Naef. On *khums* and its relation to zakat, see Hayes (2017).

This situation creates a dilemma for local practitioners of zakat. If they move too closely to state structures that people perceive as corrupt and repressive, they no longer receive zakat from the population. If they go too far in evading state control, governments might perceive them as subversive to their rule (at best) or as a channel of potentially "terrorist" militancy (at worst). Against this background, successful zakat institutions in Arab-Muslim majority countries need to reconcile different demands. They are held accountable by the local communities they serve, (authoritarian) governments, and emerging mechanisms of global security surveillance in the context of the War against Terror.

In the Palestinian case, to which I will now turn, the disconnection between such different mechanisms for holding zakat committees accountable is particularly pronounced. Since the 1970s, zakat institutions in Palestine evolved in a historical context of changing government apparatuses, and Israeli (non-Muslim) military rule. Moreover, Palestine is arguably one of the focal points of global security surveillance. The deep running tension between zakat institutions' accountability to the local community and global technologies of surveillance is not unique to Palestine, but it affects the work of Islamic social institutions and other organizations in the region more generally.

The Historical Trajectory of Institutionalized Zakat in Nablus

In the Ottoman Empire, charitable giving tended to fall under the category of endowments (waqf) rather than zakat (Singer, 2018, p. 10). Consequently, zakat practices in Palestine before the end of Ottoman rule in 1917 are a relatively obscure topic. Fahmi Ansari, a librarian in East Jerusalem, told me that the Islamic authorities in Ottoman Istanbul had no connection to zakat collection in Palestine. According to him, the general population (*'awām*) in Ottoman Palestine collected and distributed zakat as a form of worship rooted in society that took place outside of the administrative influence of the government. In 1907, however, Ottoman rulers issued a law allowing them to register Islamic charitable societies and to, thereby, exercise governmental control over zakat collections and local power structures.[4]

In Nablus, official structures for zakat practices were in place at least since 1956, when the Jordanian government registered the

[4] For a rough overview of laws regulating Islamic charitable giving in Palestine since the late 19th century, see Challand (2009).

Tadamun Islamic Charitable Society, allowing a group of men from important families to run a center for Quran memorization and sharia teaching, providing informal justice consultations, and offering aid to people in need.[5] In 1967, Israel occupied the West Bank, but the Jordanian government continued governing the civil affairs of the Palestinian population living under Israeli military rule.

In 1977, the Jordanian government registered the first Palestinian zakat committee in Nablus. It granted legal status to a hitherto informal group of men who had been collecting and distributing zakat from within the Hanbali mosque.[6] Legal registration allowed for access to international funding and the gradual diversification of activities. With the support of Muslim communities in Europe and North America as well as Islamic charitable societies in different Muslim majority countries, the committee created schools, medical clinics, orphan sponsorship programs, Quran memorization centers, and a milk factory, giving jobs to poor people from the refugee camps on the outskirts of Nablus. Over the years, the Nablus zakat committee turned into an exemplary model, and its projects were partly replicated (with room for variation) in other cities of the West Bank (Schaeublin, 2009), Jerusalem (Iwais & Schaeublin, 2011), the Gaza Strip (Schaeublin, 2012), and Jordan (Clark, 2004, pp. 109–110, 153).

Adly Yaish was central to the trajectory of the Nablus zakat committee until 2007, when the Palestinian Authority forcibly brought it under its control. He told me that his father used to take him, when he was still a boy, to the Old City where most of the poor people in Nablus lived. They went to different shopkeepers and asked them which families in the neighborhood were short of money. Shopkeepers knew these things because they observed the consumption patterns of people in the neighborhood. Based on the hints given at the shops, Yaish and his father visited poor families in their homes. According to Yaish, mosques also pooled knowledge about the people in the vicinity. Men running mosques sent people out to look for deprived households and made sure to cover their needs.

Once established, the zakat committee scaled up this more "systematic" (*niẓāmī*) approach to zakat. They conducted surveys on poor households and identified 200 families. To their surprise, they

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5 Interview (in 2014) with Amin Maqbul, who was serving as president of the charitable society at the time.

6 See also Schaeublin (2009, p. 16). The Jordanians governed Islamic affairs, including zakat, sadaqa, and waqf lands (*awqāf*) from their representation in Jerusalem. On the political role of Jordanians in governing Islamic institutions and discourse in this period, see Abu-Amr (1994, p. 14), Dumper (2002) and Milton-Edwards (1996).

discovered that a number of them were receiving zakat from different donors, while others only from a few. This imbalance pushed them to improve the coordination of zakat. In order to prevent certain poor families from deceiving their donors, they started keeping detailed records on the recipients. Resorting to surveys and statistics, they generated what Yaish called "clean knowledge." According to him, this helped them gain the trust of people in Nablus, who started confiding their zakat to the committee.

Abd al-Rahim al-Hanbali has also been involved in the zakat committee for several decades—succeeding his father as president (Benthall, 2008, p. 15). During an interview in 2013, he told me that a "systematic" approach serves to preserve the dignity of poor families by transmitting "zakat to the poor via bank accounts [avoiding the recipients being seen by their neighbors when receiving money]." Moreover, he mentioned the committee's efforts in establishing a system of keeping and updating files on poor families based on social visits and inquiries in the neighborhood carried out by both male and female staff to gain a complete picture.

During the course of this work, Jordanian administrators governing civil affairs under Israeli military rule articulated a legal model for zakat committees, the Jordanian Zakat Fund Law Number 8 of the Year 1988. A central zakat fund within Jordan's government was the only body entitled to establish and supervise zakat committees in different parts of Jordan and the West Bank. The zakat committees in different cities and towns were locally autonomous in their operations and effectively had a monopoly over the collection and distribution of zakat funds. Receiving zakat from donors inside and outside the country, the committees were obliged to pay 10 to 20% of their annual income to the central Zakat Fund.

The Jordanian law partly took up the categories of eligible beneficiaries as laid out in the Quran. Article 8a lists the following kinds of people and activities that are allowed to be supported by the central zakat fund:

> *1. The poor (fuqarā') and the needy (masākīn);*
> *2. Poor students;*
> *3. Orphans, the geriatric, the poor, the handicapped, and the institutions that take care of them;*
> *4. The poor sick and the institutions that take care of them;*
> *5. Foreigners in need;*
> *6. Publishing [leaflets] that incite [people to adhere] to Islamic practice (da'wa) and [supporting] the poor [persons] working in [the field of calling others to Islam];*

> *7. Those afflicted with misfortune without [their] wrongdoing (ma'aṣiyya) because of a flood, a bankruptcy, a fire, an earthquake, or another [misfortune];*
> *8. The activists [or fighters] on God's path (al-mujāhidīn fī sabīl allah);*
> *9. Necessary activities for managing the [zakat] fund, provided that expenditures do not annually exceed ten per cent of the income (wāridāt) of the fund.*

Point eight in the list—"the activists [or fighters] in the way of God"—echoes the expression "in the way of God" listed in the Quran. The use of the term mujāhidīn (fighters or activists) "in the way of God" raises the question whether zakat and sadaqa can be used for military projects. In fact, the category "in the way of God" is contested among Muslim scholars (Benthall and Bellion-Jourdan, 2009, pp. 69–84; Kuran, 2003).[7] In 1968, the Grand Mufti of Saudi Arabia issued a recommendation declaring the use of zakat for supporting Palestinian resistance legitimate (Hegghammer, 2010, p. 20). With regard to the Palestinian zakat committees, however, I have so far not come across evidence suggesting they were used to channel funding directly supporting armed struggle. Families of Palestinian martyrs and prisoners seem to have occasionally received support from zakat committees, but not in any disproportionate or rewarding way (for a detailed discussion, see Benthall, 2017).

The Jordanian zakat law brings all forms of zakat transfers passing through institutional bodies under the control of the state by means of bureaucratic reporting tools. The 1990 Management and Finance Regulations (Article 14b) state that all donations be registered with cash receipts. The Zakat Committee Regulations of 1996 (Article 3b) defines the criteria for the composition of zakat committees, avoiding overrepresentation of a specific family and requiring ethical qualities from committee members. The 1996 Regulations (Article 3d) stipulate that no relatives up to the fourth degree are to be represented in the same zakat committee and list (Article 4) the following conditions for becoming a member of a zakat committee:

> *1) To be of Jordanian [respectively, Palestinian] nationality;*

[7] Goldziher (1890, pp. 390–391) argues that while this phrase was first interpreted in the context of warfare (*jihād*), it has gradually been extended to include every action that pleases God, such as giving sadaqa through the establishment of public fountains (themselves called *sabīl*, the word used for "way"). For a discussion of the very different political projects that jihad can give rise to, see Li (2020).

> *2) To be of good conduct (sīra), demeanor (sulūk), and reputation and not to be convicted of a felony or any misdemeanor in violation of honor (sharaf) or general morals (akhlāq 'āmma);*
> *3) To be descendants [from families from] the governorate, district, or region [where] the committee works;*
> *4) To be literate.*

The law acknowledges the observation and ethical evaluation of the zakat committee members within their community, using words such as conduct, demeanor, reputation, honor, and morals. Below, I look at how accountability through social observation in Nablus works concretely.

Within this legal framework, the Nablus zakat committee developed institutional relations with donor organizations in the United Arab Emirates, Kuwait, Saudi Arabia, Qatar, the United States, the United Kingdom, Jordan, France, and Canada (Nablus Zakat Committee, n.d., p. 2). The Palestinian zakat committees in the 1990s were financially independent from the Palestinian Authority, as well as from European and American governmental and nongovernmental organizations. Not being "docile" to such donor apparatuses allowed them to determine their own priorities and to develop projects in accordance with local communities (Hilal & Maliki, 1997, p. 62). In the case of the Nablus zakat committee before the closures in 2007 and 2008, a considerable degree (up to 90%) of local funding further enhanced its autonomy.[8]

An important source of income for the Nablus zakat committee is its waqf properties. Waqf is technically a subcategory of sadaqa because it generates a regular stream of wealth or services that benefits the community (Hallaq, 2009, pp. 142–146). In Islamic history, waqf endowments led to the building of "mosques, Sufi *khanqahs*, hospitals, public fountains, soup kitchens, traveler's lodges, and a variety of public works, notably bridges…. A typical waqf consisted of a mosque and rental property (e.g., shops), the rent from which supported the operation and maintenance of the mosque" (Hallaq, 2009, p. 142).

According to Adly Yaish, since its inception, the Nablus zakat committee had developed a plot of waqf land of 50,000 square meters on the northern hill—based on donations and investments by the committee. On this land, the committee built a hospital and rented the building out to the University of Nablus. The income from the rent goes to the zakat committee, constituting a constant flow of sadaqa. On the rest of the waqf

[8] On this, see Schaeublin (2009, p. 30).

plot, the committee built a middle school and an elementary school for orphans.

The committee developed its activities and projects, including social work monitoring poor families, regular financial support, emergency aid to poor families, in-kind aid, animals for slaughter on the occasion of religious feasts, orphan sponsorship programs, scholarships, financial aid for medical treatments, Quran memorization centers, and a medical complex attached to a mosque (Nablus Zakat Committee, n.d., pp. 8–12). The committee also established a dairy, which was the first Palestinian factory in the West Bank producing pasteurized milk—and hence a step toward becoming more independent from Israeli agriculture.[9]

After the peace agreement between Israel and the Palestinian Liberation Organization in 1993, partial Palestinian self-governance started in the West Bank and the Gaza Strip with the aim of gradually developing into an independent state. Yasir Arafat, presiding over the newly established Palestinian Authority, made the Jordanian zakat committee model part of its governance tools.[10] The Jordanian zakat laws remained applicable in the West Bank, as Arafat relegated the drafting of Palestinian zakat law to the final establishment of Palestinian statehood.[11] Arafat defined the Palestinian Authority's Ministry of Awqaf and Religious Affairs along the lines of its Jordanian equivalent and moved the waqf lands, Islamic affairs, and zakat committees in the West Bank and in the Gaza Strip under its responsibility. The zakat committees formally became part of the Palestinian Authority—even if they retained their local autonomy. Palestinian intelligence services, however, kept zakat committees and their members under tight scrutiny after 1996, as they were aware that the loyalty of locally rooted zakat committees could swing toward the political forces opposing the Palestinian Authority (Schaeublin, 2009, p. 59).

Arafat's policy toward zakat committees in this period reflected the need to integrate local structures of governance into the preparation for Palestinian statehood. His strategy toward local zakat committees was similar to his policy of partly coopting informal justice (*iṣlāḥ*) committees. In 1994, Arafat issued a decree establishing a department of tribal affairs within the president's office that oversaw informal justice

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9 Prior to the political turmoil in the zakat sector in 2008, this project had an exemplary reputation (Schaeublin, 2009, p. 26).

10 Notice that the zakat committees in Jerusalem stayed under Jordanian jurisdiction (Iwais & Schaeublin, 2011).

11 For details, see Schaeublin (2009, p. 17).

committees. Thereby, Arafat sought to exercise political control over justice procedures operating outside a state framework by granting informal justice committees an official status and letting them carry on with their work (Khalidi et al., 2006, pp. 59, 90–91).[12]

Since the early 2000s, zakat committees raised skepticism due to alleged links to Hamas. In 2005 and 2006, a Hamas-led Change and Reform bloc won municipal and parliamentary elections, presenting itself as a valid alternative to the notoriously corrupt Movement for the Liberation of Palestine, Fatah, which had dominated the Palestinian Authority since 1994. In its electoral campaign, Hamas tried to monopolize Islamic symbols and images, while promising constructive policies and political measures against corruption (Hroub, 2006). Zakat committees had a reputation for being both incorruptible and committed to Islamic ethics, while their board members tended to be locally rooted and representative of different "political colors."[13] In 2005, Adly Yaish ran on the Change of Reform list as an independent candidate and was elected Mayor of Nablus. After his election, he resigned from the Nablus zakat committee.

After the Islamist electoral victory in 2006 parliamentary elections, a number of secularists voiced the opinion that the work of the zakat committees had influenced the election results. At the same time, the United States and other countries increasingly put the newly elected Hamas government under pressure.[14] Internal Palestinian tensions degenerated into armed clashes between Hamas and Fatah. In 2007, Hamas took control of the Gaza Strip by force. In the West Bank, a Fatah-dominated emergency cabinet ruled with the support of Israel and the United States.

This political division led to drastic political interference in the zakat committees. In the West Bank, more than 90 committees were shut down and replaced by 11 new committees under the control of the Palestinian Authority. Justifying these heavy-handed interferences in the zakat sector, the Palestinian Authority argued that zakat committees

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[12] In general, *iṣlāḥ* committees are structures that practice *ṣulḥ*, the settlement of conflicts based on customary law with varying importance given to Islamic law. There are a variety of different *iṣlāḥ* committees in Palestine belonging to different political movements or big families. A number of zakat committees in the Gaza Strip simultaneously serve as *iṣlāḥ* committees. Other *iṣlāḥ* committees operate under the umbrella of the League of Scholars of Palestine.

[13] Surveys on popular confidence in Palestinian institutions, carried out by the University of Birzeit, rank the zakat committees comparatively high (for an overview of these surveys, see Schaeublin, 2009, pp. 27–28).

[14] For an insider's account of these international pressures, see the leaked end of mission report of the UN Envoy to the Middle East Quartet (de Soto, 2007).

were fronts of Hamas, in spite of diverging opinions emphasizing the political pluralism of these institutions (Schaeublin, 2009, p. 49). This led to a new authoritarianism in the field of zakat, which also had repercussions in the Gaza Strip where Hamas increased government control over zakat institutions (Schaeublin, 2012). In hindsight, the closures of zakat committees in the West Bank appear to have taken place against the backdrop of pressures from the Israeli and the US governments (Milton-Edwards, 2017; see also Wikileaks, 2008).

The question as to whether and how Hamas did control the zakat committees in the West Bank before 2007 has become increasingly important because of its legal implications for international charities and banks. To date, no court has convicted pre-2007 committees of misusing or diverting funds, while studies suggest that the committees included different political movements (even leftist groups).[15] Meanwhile, the United States government was creating a legal landscape allowing it to criminalize any direct or indirect "material support" to a designated terrorist organization (see James, 2019, for a general discussion).

This had severe consequences for the zakat committees and the international institutions working with them. In US courts, it became possible to argue that the zakat committees were serving the interests of Hamas by enhancing the movement's political agenda through "winning [the] hearts and minds" of the Palestinian population. Consequently, any institution that had provided financial support or financial services (such as wiring bank transfers) to Palestinian zakat committees could be held liable of "supporting terrorism"—leading to a series of legal proceedings, mainly in the United States and Europe (on which, see Benthall, 2011a, 2011b, 2016, 2017).

The forced closures of zakat committees in the West Bank in 2007 had disastrous outcomes for their charitable work. In Nablus, as in other West Bank governorates, the newly formed central zakat committees mainly consisted of people known for their loyalty to the Palestinian Authority in Ramallah. The Israeli government, however, continued to view these committees as connected to terrorist networks, and thereby deterred foreign donors from working with them.

The chilling effect of such allegations on donations has been far-reaching (James, 2019a). At the same time, former donors—both local and international—had no trust in the new committees and stopped cooperating with them, notably because they felt that they were now too

[15] This question has also led to a difference of view among researchers, which I will not go into here. For more on this, see Levitt (2006); Benthall (2008, 2017); Schaeublin (2009, 2012).

close to the notorious corruption and cronyism of the Palestinian Authority. The new zakat committees lacked funding, projects such as medical clinics and the dairy in Nablus became dysfunctional. Popular confidence waned.[16] In 2011, turnover of zakat committees in the West Bank was down to an estimated 20% compared to pre-2007 (Schaeublin, 2012, p. 79). The gap in aid provision was partly filled by an increase in the European Commission's social welfare funding channeled through the Palestinian Authority's Ministry of Social Affairs (Schaeublin, 2012, p. 80). The European Commission was running all the names of beneficiaries through a digital list of terror suspects maintained by World Check, a private security company originating in South Africa that was bought up by *Thomson Reuters* (Schaeublin, 2012, pp. 64–65; see also James, 2019a, pp. 156–157). In 2018, Blackstone bought a majority stake of *Thomson Reuters*' Financial Risk Unit of which World Check was a part. As a result of the deal, the unit was renamed *Refinitiv* (*Reuters*, 2018).

Consequently, zakat distributions started flowing in discreet channels beyond the purview of governments (Schaeublin, 2019). My interlocutors emphasized the malleability of zakat in adapting to adverse circumstances: when institutional channels closed, zakat would simply find other ways in which to flow. As an Islamic obligation, there would always be people willing to give. In 2011, the Palestinian Authority realized that centralization in the field of zakat was not working because the damage to the local legitimacy of the zakat committees was too drastic. Accordingly, the Palestinian Ministry of Awqaf issued decrees allowing for the reopening of local subcommittees under the supervision of the central committees.

Since 2013, the Nablus zakat committee has been in a process of recovery—albeit underlying tensions between Hamas and Fatah have continued. After having offered their resignation (*Maan News*, 2010), the members of the post-closure committee made room for new faces in 2013 (*Shasha News*, 2013). The newcomers sought to improve the committee's reputation in Nablus and to restore the trust of donors abroad. They opened a soup kitchen and provided cash assistance to poor families in Nablus alongside the Ministry of Social Affairs and other aid providers.

[16] For an overview of the consequences of the closures, see Schaeublin (2009, pp. 46–48).

Accountability to the Local Community

During my fieldwork in 2013 and 2014, the new committee members sought to prove their ability to effectively and responsibly deal with zakat funds. Aware of the fact that their success would depend on the community's level of trust in them, they sought to maintain a good reputation. In this endeavor, they embodied Muslim piety, a state resulting from the combination of different Islamic virtues (Mahmood, 2005). Virtues such as patience, modesty, reliance on God, honesty, and fairness—all derived from Islamic scriptures—played a key role in the committee members' interactions with others.

The community's observation and ethical judgment of zakat committee members has a regulatory function and creates local accountability. The zakat committee member's display of virtuousness was not merely about cultivating a pious self (Mahmood, 2005), but more importantly about presenting oneself to others. Drawing on Goffman (1959), Keane (2015, p. 147) has written of the "ethical work" of presenting oneself in such contexts. The "talk of the town" interpreting and judging people is crucial for a mechanism of accountability that works through people's reputation in a close-knit community. I shall now show how the embodiment of Muslim piety in social interactions makes zakat committee members accountable to the community.

My interlocutors praised some of the members that were on the committee before the forced takeover in 2008 as exemplars of Muslim piety and professionalism. Former president Abd al-Rahim al-Hanbali, for instance, was widely admired. A moderator from Radio Quran Nablus, whom I interviewed in 2014, described the changes that happened after Hanbali's forced removal like this:

> *After dissolving the old zakat committee, there were problems. From 2008 to 2012, the Nablus zakat committee was tattered (muhtari'a) and flimsy (mhalhala). People had no trust in the new members. Since 2013, a new committee is trying to regain trust, but confidence is still weak and nowhere near the level of the pre-2007 zakat committee. The judgement of the new committee depends on people's opinions. People observe the new committee members closely. Before 2007, Abd al-Rahim al-Hanbali was highly trusted. He is from a wealthy family and paid zakat to the committee from his own money. He is affectionate (muḥibb) towards others, committed to religion, and people saw that he used the money they gave to the*

> *committee for tangible projects..... Zakat work needs experts in the fields of the economy, management, and religion.*

At the time of my fieldwork, people in Nablus treated Hanbali with reverence, e.g., by coming out of their shops to kiss his cheeks and greet him warmly when he passed by. They considered him a sheikh, a pious man to whom one could turn for ethical guidance. He advised people on how to cope with marital and other kinds of relational problems. In his conversations with others in the streets of Nablus, he ceaselessly cited the Quran and sayings of Prophet Mohammed. Adly Yaish had an equally good reputation of being kind in his interactions and helping people to finance their pilgrimage to Mecca. People referred to him as an exemplar of honesty and transparency. Even his political enemies sometimes told me that Hajj Adly is "gold"—highlighting his integrity in dealing with others.

Ahmed Sharaf, the sheikh introduced in the opening paragraphs of this article, not only sought to prove his virtuousness in interactions with others. Together with Ahmed al-Hindi, another member of the newly composed zakat committee, he was often fasting on regular weekdays. I sometimes saw them in the afternoon with tired looks on their faces. In meetings with others, they calmly refused to drink, explaining that they were fasting. Their gestures and their facial expressions manifested their pious self-restraint and modesty to the public gaze. Abu Faruk, a local entrepreneur joining the zakat committee as a member shortly before the end of my fieldwork, continuously lent his ear to people when going around the city (Figure 2). Moving in public space, he displayed his reliance on God in all of his undertakings by saying "in the name of God" or "oh Lord" before entering a door or starting a car.

Figure 2. Abu Faruk, with a bag of food for a poor family, listening to a man in the old city. © Jonas Opperskalski.

A leaflet of the Ramallah zakat committee (1997)—Ramallah is a Palestinian city between Nablus and Jerusalem—displayed the piety of its members by making general statements about the extreme sensitivity of handling money given as zakat:

> *zakat funds are the right of their beneficiaries who are powerless and … [they] are unlike other funds. Whoever takes anything away from them in an illegal manner, acts as if he took from the [hell] fire, and whoever takes from [these funds] in this life, this will be a woe [for him] in the Hereafter.*

This statement invokes a cosmic system of divine bookkeeping (on which, see Schaeublin, forthcoming) where God rewards or punishes

good and bad deeds and puts one's financial dealings and transactions with others under scrutiny. This wider framework can lead to anxieties among zakat committee members. One person from a zakat committee in another Palestinian town told me the following:

> *I am afraid of agreeing to the expenditure of zakat funds without really being able to know whether it is the right thing (al-ṣaḥḥ) to do. Some expenditures of the committee might go beyond the scope defined by [the category of] zakat. In the meetings of the committee, I mainly need to go through expenditures and agree to them. For example, we recently agreed on spending a large amount on the repair of … a building…. How can I know whether the amounts to which I give my agreement are not in breach of the eight categories of beneficiaries laid out in the Quran?*

Such insecurities and fears are further expressions of piety and crucial to the cultivation of a reputation of integrity.

The local evaluation of zakat committee members based on this ethical Islamic framework enabled communities to hold institutionalized zakat practice in Palestine locally accountable over the years. For this reason, the Palestinian Authority in the West Bank returned to a style of governing zakat institutions that delegated the selection of committee members to the local level (Schaeublin, 2012, p. 83). By 2019, the number of local zakat committees in the West Bank had again increased to 41, according to an employee of the Palestinian Authority's Ministry of Awqaf who told me that lack of trust was still an issue in some areas. Her advice to committee members in such situations was to be modest, honest, close to the people, respectable, distant from any tensions arising from family honor, direct in asking wealthy people for money, and free of tattoos.

Men compose most zakat committees in Palestine. However, there are exceptions of women on many committees, including the one in Nablus. In general, however, women are more active as employees and social workers of zakat committees. Women in zakat practice play a key role in hiding direct transactions from the gaze of others in order to protect the dignity of the recipient (Schaeublin, 2019).

Having shown how the Islamic tradition provides an ethical framework for holding zakat committee members accountable, I shall now contrast such local mechanisms of accountability anchored in personal reputation with other forms of accountability.

Accountability through Governance and Security Surveillance

Administrative mechanisms of governance—as articulated in the Jordanian zakat law discussed above—focus on flows of money and beneficiaries. The piety of zakat committee members becomes also visible in their ability to keep clean records of their expenditures. Keeping files and producing financial reports for governmental oversight bodies has been part of the general push towards making zakat practice "systematic." When the Palestinian Authority forced the Nablus zakat committee to close in 2008, all the documents, bank accounts, and properties that the committee handed over were reportedly flawless (Palestinian Authority Ministry of Awqaf 2008).

New techniques of administration introduced in the 1970s made it possible to keep track of individuals and nuclear families with a view to their material situation and their ethical ways of living. In the self-description of the Nablus zakat committee (1998), this overarching care for people becomes explicit:

> *The committee aims at linking (rabṭ) people to God, Exalted and Sublime, spreading religious consciousness (al-waʿī al-dīnī), and inculcating the true (ṣaḥīḥa) Islamic conviction (ʿaqīda) in the selves (nufūs) of the sons of the Islamic community (ummah). This is achieved through the spreading of Quran memorization centers in the region and their supervision [through the committee]. Moreover, [the committee] follows up on poor families and orphans religiously, educationally, economically, medically, and socially.*

At the time of my fieldwork in 2013 and 2014, the social workers of the Nablus zakat committee seemed little concerned with the "convictions" of poor people and stated that Christians are also eligible to receive aid from the committee. The social workers saw their job primarily in asking other people in the neighborhood about the degree of financial need that they could infer from a poor family's behavior. They drew on people's observations of others within neighborhoods to assess need (in a way that echoes the observation of zakat committee members above). Three female and two male social workers were regularly visiting poor families and keeping files on all recipients of zakat or sadaqa disbursed through the committee. A woman who had been in this job for twenty-six years described her work as this:

> *We go to the heart of the household (qalb al-dār) and then write down all the information we need on the family in order to fill out the file. Then, we ask the family whom in the neighborhood they would like us to question about them. We [merely make sure to assess the need of the family and] do not ask about debts and do not get involved in tensions between the poor family and others. Oftentimes, we go to talk to the head of the neighborhood (mukhtār al-ḥāra) who then leads us to hidden [i.e. poor] families [concealing their financial needs to others].*[17]

The rise of counterterrorism since the early 2000s added a new dimension to the systematic gathering of information on recipients of zakat and sadaqa. "Due diligence" to avoid zakat or sadaqa funds reaching "terrorists" led to the widespread vetting of recipients against various "terror lists" (Bhungalia 2015, 2315; de Goede 2012; James 2019; Kocher 2011). The trend of securitizing zakat practice is palpable in the Nablus zakat committee's everyday practices. During my fieldwork, I often witnessed how the zakat committee distributed aid coming from different international Islamic charities, based in countries such as the United Kingdom, Turkey, or Saudi Arabia. People on the beneficiary lists of the zakat committee were called up and invited to pass by the premises of the zakat committee to pick up food parcels or financial aid distributed on behalf of donors abroad. At times, the international donor institution was asking the zakat committees to put up a poster with their logo during the distribution and to take pictures of every beneficiary receiving aid. Apparently, many donor institutions insisted on such procedures in order to be able to account for every penny they spend to the intelligence apparatuses in the country they were based.

Transnational Islamic donors were under enormous pressures and required extremely detailed documentation on their expenditures in order to fend off possible accusations of supporting terrorism. According to rumors, these donor organizations were vetting lists of beneficiaries with the help of terror databases. The practice of taking pictures of recipients and running their names through global data bases—see e.g. James's (2019a, 156–157) discussion of World Check—, however, runs counter to the need to protect the dignity of recipients through discretion, which is a prominent aspect of zakat in the Islamic tradition (Schaeublin 2019).

[17] On the practice of hiding need in Nablus, see Schaeublin (2019).

The use of security databases is difficult to research. Zakat institutions are hesitant to share information on the issue because they are in sort of a double bind. If they say that they do use anti-terrorist vetting procedures, they may damage their respectability in local communities, which see these lists as illegitimate tools of control. On the other hand, if they publicly state that they do not resort to vetting procedures, they risk being accused of a lack of due diligence and compliance with international security policies.

After 2007, Palestinian zakat institutions started entertaining intimate links with security forces. In the Gaza Strip, policemen of the Hamas-led government there started serving as committee members (Schaeublin, 2012, pp. 69–70). In the West Bank, the zakat committees started to work more closely with security forces. These developments notwithstanding, the Palestinian Authority continued to recognize the locally rooted character of zakat committees—as laid out in the early Jordanian zakat law. Since 2010, they have started returning to a more decentralized way of governing institutionalized zakat.

Local practitioners of zakat are very agile in adapting zakat projects to a politically challenging context. Since 2012, the zakat committee has been running a soup kitchen with staff and volunteers cooking food and distributing it to poor households.[18] One day in 2014, women from neighboring villages and towns came to Nablus to inform themselves on how to set up a similar project in their hometowns. One of the women who had initiated the soup kitchen in Nablus gave them a list of principles to guide their actions:

> *When you have people's trust, funding comes to you from local sources.*
> *Do not rely on international sources, as they may cease anytime.*
> *Make sure all your employees donate a tiny portion of their salary to the soup kitchen.*
> *Avoid cooking frozen meat.*
> *Stay away from those exerting tyrannical power (jabarūt) or authoritarianism (taḥakkum).*

[18] Soup kitchens play an important role in contemporary Cairo (Mittermaier, 2019) and Jerusalem under Ottoman rule (Singer, 2012). The 550-year-old Takkiyah Khāṣqī Sulṭān soup kitchen is now run by the Jerusalem zakat committee (Iwais & Schaeublin, 2011, p. 164). Another famous soup kitchen in the West Bank belongs to the mosque in Hebron containing the tomb of Abraham, known for his exemplary pious generosity (Stillman, 2017, 217n26).

> *Arrange for an office of the Palestinian Authority to follow-up on your activities—if you would like to walk a straight line (timshī ṣaḥḥ).*
> *Do not make the food-aid conditional. Conditions (sharṭ) are not acceptable from a sharia point of view.*

This list provides a sense of what maneuvering different kinds of accountabilities means on a practical level. The recommendations emphasize that organized Islamic giving needs to be locally rooted. Only with the support of the community can such organizational forms endure in the volatile and politically repressive context of the Palestinian territories under Israeli military occupation.

Conclusion

Zakat institutions are an embodiment of piety that builds on the Islamic tradition (Asad, 1986), i.e. a historically continued conversation on how to live and act based on the Islamic Scriptures (Quran and Sunna). As such, institutional zakat practice is able to adapt to evolving historical circumstances. In the recent trajectory of the Nablus zakat committee, piety manifests itself in the self-presentation of zakat committee members and their administrative practices of keeping a clean account of their expenditures. The bureaucratic rationality of zakat committees suggests that institutional forms of piety through Islamic giving can also be viewed as a manifestation of the "pious modern" (Deeb, 2006), in the sense of a relation to piety shaped by modern ideals. Zakat's malleability and agility in adapting to changing political circumstances points to the general plasticity of the Islamic tradition (Clarke, 2018). This malleability makes zakat an effective source of resilience and basis for communal self-help in an adversarial context (Ishtiyya, 2008). The embodiment of piety, which subsumes different virtues emerging from the tradition, plays a key role in how local communities are able to hold zakat committee members accountable through local observation and ethical judgement determining people's reputation. The pressure of this observation is considerable, as illustrated in Ahmed Sharaf's interaction with the man calling him on the phone mentioned above.

Against the backdrop of Hamas's armed resistance against Israeli occupation and its attacks on Israeli civilians that are part of the recurring spiraling of violence and counter-violence in the Near East conflict more generally, zakat committees came under the increased scrutiny of security surveillance. Deep running suspicions about an allegedly conspiring and malicious character of Islamic charitable work

(Levitt, 2006) drive security surveillance carried out by Israeli and Palestinian intelligence services—and, increasingly, also through international terror lists and databases. In the course of the US-led War against Terror, security surveillance with the aim of deterring malpractice through Islamic institutions has a chilling effect (James, 2019a) on donors and banks working with zakat institutions because it creates enormous legal risks (Benthall, 2011a, 2011b, 2017).

Such international attempts at holding people working with and running zakat institutions accountable seem oftentimes highly disconnected from local understandings of good governance and accountability. This is a problem in various ways. Interventions based on such disconnected assessments of zakat institutions risk destroying local relief systems that are rooted in and respected by the communities in which they work. Moreover, securitized ways of thinking about accountability can prevent policy makers and international aid providers from understanding local mechanisms of accountability that are effective in fragile contexts otherwise marked by corruption and continuous contests over power.

Recognizing such mechanisms requires a sensitivity for ethical and moral frameworks emerging from "lived Islam" (Reinhart, 2020), with which people working for international organizations are often not familiar.[19] This raises the question whether different forms of knowledge production and conversations should take place on the level of international policy making with a view to poverty relief in fragile contexts. Locally rooted mechanisms of ethical accountability would be a promising topic of "conversation" between anthropologists and Islamic scholars (Rasanayagam, 2018) and indeed other researchers. This could contribute to the creation of a more decentered and robust humanitarian system that can face ongoing geopolitical transformations.

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[19] Awareness of transnational Islamic aid organizations, however, seems to be growing (Petersen 2014).

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